HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1841 OF 2006.

Baban R. Dumbre. ..Petitioner.
Versus.
State of Maharashtra & Ors..Respondents.

P. M. Khankar for the petitioner.

Sarang Aradhye h/f R. V. Govilkar for the respondent no.7.

I. S. Thakur A.P.P. for the State.

CORAM: S.B.MHASE &
S.R.SATHE JJ

DATE: NOVEMBER 15, 2006.

P.C.

1. Learned counsel for the petitioner states that he may be granted leave to delete respondent no.3, namely, the Chief Minister. Leave to delete the respondent no.3 is hereby granted. On behalf of respondent nos. 1, 2, 4 & 5, learned A.P.P. Shri. Borulkar waives service.

2. We heard the matter at length. Learned counsel for the petitioner ultimately submitted that he may be allowed to withdraw the petition with a liberty to file an appropriate civil suit for malicious prosecution. He further stated that he further desires to take even criminal action by filing appropriate

complaint for malicious prosecution. In view of the statements made by the learned counsel for the petitioner, we hereby allow the petitioner to withdraw this petition with a liberty to file a suit and/or criminal complaint for malicious prosectuion. Both these remedies are open to the petitioner. Petition is accordingly disposed of.

(S.R.SATHE,J.) **(S.B.MHASE, J.)**

:srp/sathe/2006/